

PUBLIC PARTICIPATION AT BOARD MEETINGS

Policy Code:

2310

Board meetings are conducted for the purpose of carrying on the official business of the school system. The public is cordially invited to attend board meetings to observe the board as it conducts its official business.

The Buncombe County Schools Board of Education, as an elected representative body of the school system, also wishes to provide a forum for citizens to express interests and concerns related to the school system. In order that the board may conduct an orderly meeting while providing an opportunity for input, individuals or groups may be heard by the board in accordance with this policy or Subsection D.3 of policy 2300, Board Meetings, which addresses public hearings.

A. REQUESTS TO PLACE ITEM ON THE AGENDA

In order that the board may fairly and adequately discharge its overall responsibility, citizens desiring an item to be placed on the agenda for a specific board meeting should direct written requests to the superintendent at least six working days prior to the meeting.

The request should include:

1. the name and address of the person or persons making the request;
2. the organization or group, if any, represented; and
3. a brief explanation of the nature of the item. Questions and/or materials to be presented to the board are to be submitted along with the request.

The superintendent shall confer with the chairperson of the board concerning whether to approve placing the requested item on the agenda and to determine the appropriate meeting for such discussion. The superintendent, with the consent of the board chairperson, shall accept or deny a request for inclusion on the agenda for any reason determined appropriate by the superintendent and chairperson.

The superintendent shall notify the requesting party of the response to the request. (See Section C, Reports of Complaints, below.) If the request is denied, the superintendent shall explain any other processes available for addressing the concerns. At the meeting, the board may, by majority vote and notwithstanding prior denial by the superintendent, add an item to the agenda before the agenda is adopted. After the agenda has been adopted, a two-thirds vote is required to add a new item to the agenda.

The chairperson shall establish the amount of time for individual or group presentations.

B. PUBLIC COMMENT

Each month, a part of at least one regularly scheduled board meeting will be set aside for citizens to address the board through public comment. Each speaker will receive three minutes to present comments. A sign-up sheet will be available for any individual or group to indicate their desire to address the board. During the public comment period, the board will recognize speakers in the order in which they signed in. Substitute speakers will not be permitted, and speakers may not donate any portion of their time to another speaker. If a speaker is unable to present all of his or her information within the specified time limit, the speaker may provide the board with the additional information in written form. If an unusually large number of people requests to speak, a spokesperson for each group of persons supporting or opposing the same positions can be designated. The chairperson will decide the total amount of time devoted to public comments. At any time, the superintendent or the board shall develop additional procedures to ensure that public comment sessions proceed in an efficient and orderly manner.

Board members will not respond to individuals who address the board except to request clarification of points made by the presenter.

Issues involving individual personnel or student matters are confidential and, therefore, are not appropriate for the public comment session. Concerns related to personnel or student matters should be handled as a complaint and reported to the superintendent or designee as provided under the Reports of Complaints section, below.

Except in cases of emergency, information received during presentations will not be acted upon at the time it is received. It will take unanimous vote of the board members present to take action on a presentation considered to be of an unusual or emergency nature at the time it is presented.

Disruptions by any person or persons of a public meeting will be subject to action in accordance with G.S. 143-318.17.

If the board does not hold a regular meeting during a month, the board will not provide a time for public comment at any other meeting held during that month, unless a majority of the board votes to allow public comment at the meeting or unless the purpose of the meeting is a public hearing.

C. REPORTS OF COMPLAINTS

Complaints about the performance of school personnel, student matters, implementation of board policy, the quality of the educational program or school facilities should be submitted initially for a response to the school system official responsible for the program or facility or to the superintendent. The superintendent or designee shall make available this policy and other relevant grievance procedures to any individual or group

submitting a complaint. The laws and policies of North Carolina provide that issues or concerns involving individual personnel matters are confidential, and therefore, not appropriate for public comment settings. Concerns related to personnel issues may be addressed through the Board's grievance policies.

Legal References: G.S. 143-318.10 and -318.17; 115C-36, -51

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Responding to Complaints (policy 1742/5060), Role of Board Members in Handling Complaints (policy 2122), Board Meetings (policy 2300), Board Meeting Agenda (policy 2330)

Adopted: January 10, 2013

Revised: September 2, 2021

Revised: November 16, 2021 (minor change not affecting content)